

(A) by striking "identified in this Act" and inserting "identified in this title and the Act of April 11, 1956 (chapter 203; 70 Stat. 110 et seq.), popularly known as the Colorado River Storage Project Act,";

(B) by inserting "relating to the Bonneville Unit of the Central Utah Project including oversight for all phases of the Bonneville Unit, the administration of all prior and future contracts, operation and maintenance of previously constructed facilities" before "and may not delegate";

(C) by striking "his responsibilities under this Act" and inserting "such responsibilities"; and

(D) by striking the period after "Reclamation" and inserting: "except through the pilot management program hereby authorized. The pilot management program will exist for a period not to exceed 5 years and shall provide a mechanism for the Secretary and the District to create a mutually acceptable organization within the Bureau of Reclamation to assist the Secretary in his responsibilities for the long-term management of the Bonneville Unit. Such pilot management program may be extended indefinitely by mutual agreement between the Secretary and the District.";

(2) in the second sentence—

(A) by inserting "technical" before "services"; and

(B) by inserting "for engineering and construction work" before "on any project features"; and

(3) by inserting at the end thereof the following new sentence: "These provisions shall not affect the responsibilities of the Bureau of Reclamation and the Western Area Power Administration regarding all matters relating to all Colorado River Storage Project power functions, including all matters affecting the use of power revenues, power rates and ratemaking.".

(C) MUNICIPAL AND INDUSTRIAL WATER.—Section 202(a)(1)(B) of the Central Utah Project Completion Act (106 Stat. 4608) is amended in the last sentence by inserting "and municipal and industrial water" after the word "basin".

(D) USE OF UNEXPENDED BUDGET AUTHORITY.—Section 202(c) of the Central Utah Project Completion Act (106 Stat. 4611) is amended to read as follows: "The Secretary is authorized to utilize all unexpended budget authority for units of the Central Utah Project up to \$300,000,000 and the balance of such budget authority in excess of this amount is deauthorized. Such \$300,000,000 may be used to provide 65 percent Federal share pursuant to section 204, to acquire water and water rights for project purposes including instream flows, to complete project facilities authorized in this title and title III, to implement water conservation measures under section 207, including use of reverse osmosis membrane technologies, water recycling, and conjunctive use, to stabilize high mountain lakes and appurtenant facilities, to develop power, and for other purposes. In addition, funds may be provided by the Commission for fish and wildlife purposes. The District shall comply with the provisions of sections 202(a)(1), 205(b), and Title VI with respect to the features to be provided for in this subsection.".

(E) PREPAYMENT OF REPAYMENT.—Section 210 of the Central Utah Project Completion Act (106 Stat. 4624) is amended—

(1) in the second sentence—

(A) by inserting "or any additional or supplemental repayment contract" after "1985,"; and

(B) by inserting "of the Central Utah Project" after "water delivery facilities"; and

(2) by striking "The District shall exercise" and all that follows through the end of that sentence.

## SEC. 2. USE OF PROJECT FACILITIES FOR NON-PROJECT WATER.

The Secretary of the Interior may enter into contracts with the Provo River Water Users Association or any of its member unit contractors for water from Provo River, Utah, under the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using facilities associated with the Provo River Project, Utah; and

(2) the exchange of water among Provo River Project contractors, for the purposes set forth in paragraph (1), using facilities associated with the Provo River Project, Utah.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. CANNON), the author of this legislation, to explain this legislation.

Mr. CANNON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of H.R. 4129, the Central Utah Project Completion Act Amendments Act.

As in most Western States, water in Utah is a valuable and rare resource. Some of the most difficult and important decisions we make today are about how water should be conserved, transported, and allocated. This bill will help us move in the right direction by providing CUP with the necessary flexibility to meet the existing and future water needs of the State.

This bill provides fine-tuning to the original CUPCA authorization to make changes to CUP reflecting the current needs of Utah's water users.

H.R. 4129 modifies reimbursement costs for investigation of certain power features in the Bonneville unit. It also modifies the repayment schedule for CUP projects. The bill will give CUP the opportunity to fund projects that have been promised but not yet constructed.

H.R. 4129 does not add any additional authorization to the Central Utah Project, but rather, enables the CUP to take the money granted under previous Central Utah Project Completion Act authorizations and redirect it to other projects.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill has been explained, and we support it.

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4129, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## DISCLAIMER OF INTEREST IN LANDS ADJACENT TO SPIRIT LAKE AND TWIN LAKES, IDAHO

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4874) to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey.

The Clerk read as follows:

H.R. 4874

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The meander lines in the original surveys by John B. David, deputy surveyor, of two lakes in the State of Idaho, Spirit Lake, formerly known as Lake Tesemini, located in T. 53 N., R. 4 W., Boise Meridian, and Twin Lakes, formerly known as Fish Lake, located in T. 52 N. and T. 53 N., R. 4 W., Boise Meridian, do not reflect the current line of ordinary high water conditions.

(2) All lands adjacent to the original meander lines have been patented.

(b) PURPOSE.—The purpose of this Act is to direct the Secretary of the Interior to issue a recordable disclaimer of interest by the United States to any omitted lands or lands lying outside the record meander lines in the vicinity of the lakes referred to in subsection (a).

### SEC. 2. DEFINITIONS.

In this Act:

(1) RECORDABLE DISCLAIMER OF INTEREST.—The term "recordable disclaimer of interest" means a document recorded in the county clerk's office or other such local office where real property documents are recorded, in which the United States disclaims any right, title, or interest to those lands found lying outside the recorded meander lines of the lakes referred to in section 1(a)(1), including omitted lands, if any.

(2) OMITTED LANDS.—The term "omitted lands" means those lands that were in place on the date of the original surveys referred to in section 1(a)(1) but were not included in the survey of the township and the meander lines of the water body due to gross error or fraud by the original surveyor.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

### SEC. 3. SURVEYS.

The Secretary shall—

(1) conduct a survey investigation of the conditions along the lakeshores of Spirit Lake and Twin Lakes in the townships referenced in section 1(a); and

(2) after the completion of the survey investigation, resurvey the original meander lines along the lakeshores, using the results of the survey investigation.

### SEC. 4. DISCLAIMER OF INTEREST IN LANDS ADJACENT TO SPIRIT LAKE AND TWIN LAKES, IDAHO.

Upon acceptance and approval of the surveys under section 3 by the Secretary, the Secretary shall—

(1) prepare a recordable disclaimer of interest with land descriptions, using the lot or tract numbers of the omitted lands, if any, and lands lying outside the record meander lines, as shown on the survey plats; and

(2) record such recordable disclaimer of interest simultaneously with the filing of the surveys.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary \$400,000 to carry out this Act. Funds appropriated to carry out the purposes of this Act may be available without fiscal year limitation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4874, introduced by our colleague on the Committee on Resources, the gentleman from Idaho (Mr. OTTER), would direct the Secretary of the Interior to disclaim any Federal interests in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from faulty Federal surveys conducted in the 1880s.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, the correction of the survey errors are long overdue. We support H.R. 4874.

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4874.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### CALLING FOR FULL APPROPRIATION OF STATE AND TRIBAL SHARES OF ABANDONED MINE RECLAMATION FUND

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 425) calling for the full appropriation of the State and tribal shares of the Abandoned Mine Reclamation Fund.

The Clerk read as follows:

##### H. CON. RES. 425

Whereas the Surface Mining Control and Reclamation Act of 1977 (33 U.S.C. 1201 et seq.) created the Abandoned Mine Reclamation Fund capitalized with a reclamation fee assessed on every ton of domestic coal production, for the purposes of protecting the environment by restoring lands and waters adversely affected by past mining practices;

Whereas under the Act, each State and Indian tribe having a federally approved abandoned mine reclamation program is to be al-

located 50 percent of the reclamation fees collected in such State, or collected with respect to Indian lands under the jurisdiction of such tribe, respectively, subject to appropriations;

Whereas by the end of March 2002, \$6,400,000,000 in reclamation fees had been deposited into the Abandoned Mine Reclamation Fund, but only \$5,000,000,000 had been appropriated from the fund, leaving an unappropriated balance of \$1,400,000,000;

Whereas by the end of March 2002, the State and tribal share of the unappropriated balance in the Abandoned Mine Reclamation Fund was \$876,000,000;

Whereas—

(1) the State of Alabama should have received \$15,000,000 of the unappropriated balance in the Abandoned Mine Reclamation Fund;

(2) the State of Alaska should have received \$1,800,000 of such unappropriated balance;

(3) the State of Arkansas should have received \$4,000 of such unappropriated balance;

(4) the State of Colorado should have received \$19,300,000 of such unappropriated balance;

(5) the State of Illinois should have received \$26,000,000 of such unappropriated balance;

(6) the State of Iowa should have received \$38,000 of such unappropriated balance;

(7) the State of Kansas should have received \$393,000 of such unappropriated balance;

(8) the State of Kentucky should have received \$109,800,000 of such unappropriated balance;

(9) the State of Louisiana should have received \$1,100,000 of such unappropriated balance;

(10) the State of Maryland should have received \$2,600,000 of such unappropriated balance;

(11) the State of Missouri should have received \$901,000 of such unappropriated balance;

(12) the State of Montana should have received \$39,800,000 of such unappropriated balance;

(13) the State of New Mexico should have received \$18,200,200 of such unappropriated balance;

(14) the State of North Dakota should have received \$10,200,000 of such unappropriated balance;

(15) the State of Ohio should have received \$21,500,000 of such unappropriated balance;

(16) the State of Oklahoma should have received \$1,900,000 of such unappropriated balance;

(17) the State of Pennsylvania should have received \$51,600,000 of such unappropriated balance;

(18) the State of Texas should have received \$17,300,000 of such unappropriated balance;

(19) the State of Utah should have received \$12,300,000 of such unappropriated balance;

(20) the State of Virginia should have received \$23,200,000 of such unappropriated balance;

(21) the State of West Virginia should have received \$107,400,000 of such unappropriated balance;

(22) the State of Wyoming should have received \$323,900,000 of such unappropriated balance;

(23) the Crow Tribe should have received \$6,200,000 unappropriated balance;

(24) the Hopi Tribe should have received \$4,700,000 unappropriated balance;

(25) the Navajo Tribe should have received \$26,000,000 unappropriated balance; and

Whereas such States and tribes are being denied the use of the unappropriated balance in the Abandoned Mine Reclamation Fund

for the benefit of their citizenry and their environment: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Federal budget for fiscal year 2004 should keep faith with the goals of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) by providing to eligible States and Indian tribes their lawful share of the unappropriated balance in the Abandoned Mine Reclamation Fund so that they may further protect and enhance the environments of their States and tribal lands.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 425 encourages the administration to pay down the debt owed to 25 States and Indian tribes as part of their share to the Abandoned Mine Reclamation Fund, or AMR Fund.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, we support this resolution.

Mr. GEKAS. Mr. Speaker, as an original cosponsor of H. Con. Res. 425, I rise today to support its passage and to highlight the problem of abandoned mines in the Commonwealth of Pennsylvania.

The industrialization of the United States was fueled largely by Pennsylvania coal. Today, the Commonwealth still bears the scars from centuries of mining. Acid discharge still pollutes our streams and abandoned strip mines still make parts of Pennsylvania look like a lunar landscape. It is sad to see our environment in such a state but it is even more tragic that these abandoned mines pose a serious threat to the general public. So far this year, 26 people have died as a result of accidents at abandoned mine sites. Since January 2000, 78 individuals have died at abandoned mine sites. From hunters who have stumbled off rock faces to the youth who drown to the nine miners who were rescued from the Quecreek Mine after their mine was flooded by an adjacent abandoned mine, we in Pennsylvania know all too well the dangers these abandoned mines pose.

I applaud the gentlewoman from Wyoming, Mrs. CUBIN, for introducing H. Con. Res. 425, and my many colleagues from Pennsylvania for cosponsoring it. The Abandoned Mine Land Trust Fund was created to erase the scars that mining has left and the Federal budget for FY 2004 should keep faith with the goals of the Surface Mining Control and Reclamation Act of 1977 by providing to eligible states their share of the unappropriated balance in the fund so that they may further protect and enhance the environments of their states. Pennsylvania is essentially owed \$51.6 million from the fund and has more abandoned mines yet to be reclaimed than any other state.